## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITE	ED STATES OF AMERICA	)
	Plaintiff,	) 8:05CR180 )
	vs.	) DETENTION ORDER
ANGE	EL RAMON SANDOVAL,	) )
	Defendant.	, )
Aft Ac		nt to 18 U.S.C. § 3142(f) of the Bail Reform ove-named defendant detained pursuant to
Th X	will reasonably assure the appearanc	pecause it finds: pat no condition or combination of conditions of the defendant as required. The condition or combination of conditions
Th wh _>	nich was contained in the Pretrial Services  (1) Nature and circumstances of the X (a) The crime: a conspiral distribute in excess of 50 violation of 21 U.S.C. § 84 imprisonment and a mapossession with intent to violation of 21 U.S.C. § 8 twenty years imprisonment in excess of 50 grams of no 21 U.S.C. § 841(a)(1) calca imprisonment and a maximum (b) The offense is a crime of x (c) The offense involves a na (d) The offense involves a large (2) The weight of the evidence again (a) General Factors:  The defendant appera affect whether the defendant has no X The defendant is not X The defendant is not	offense charged: acy to distribute and posses with intent to be grams of methamphetamine (Count I) in 6 carries a minimum sentence of five years eximum of forty years imprisonment; the distribute methamphetamine (Count II) in 841(a)(1) carries a maximum sentence of t; and the possession with intent to distribute nethamphetamine (Count III) in violation of arries a minimum sentence of five years mum of forty years imprisonment. violence. recotic drug. ge amount of controlled substances, to wit: est the defendant is high. If the defendant including: ears to have a mental condition which may efendant will appear. o family ties in the area.

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	` ,	<ul> <li>X The defendant has a history relating to drug abuse.</li> <li>X The defendant has a history relating to alcohol abuse.</li> <li>The defendant has a significant prior criminal record.</li> <li>X The defendant has a prior record of failure to appear at court proceedings.</li> <li>At the time of the current arrest, the defendant was on:         <ul> <li>Probation</li> <li>Parole</li> <li>Release pending trial, sentence, appeal or completion of sentence.</li> </ul> </li> <li>Other Factors:         <ul> <li>X The defendant is an illegal alien and is subject to deportation.</li> <li>The defendant is a legal alien and will be subject to deportation if convicted.</li> <li>The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal.</li> </ul> </li> </ul>
X (4)	The na	Other:ature and seriousness of the danger posed by the defendant's release
,	are as	s follows: The nature of the charges in the Indictment.
X (5)	In dete the fo which	ttable Presumptions ermining that the defendant should be detained, the Court also relied on llowing rebuttable presumption(s) contained in 18 U.S.C. § 3142(e) the Court finds the defendant has not rebutted:
_ <u>_x</u>		That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of any other person and the community because the Court finds that the crime involves:
	<u>       (b)</u>	the appearance of the defendant as required and the safety of the community because the Court finds that there is probable cause to believe:  X (1) That the defendant has committed a controlled substance violation which has a maximum penalty of 10 years or more.  (2) That the defendant has committed an offense under 18 U.S.C. § 924(c) (uses or carries a firearm during and in relation to any crime of violence, including a crime of violence, which provides for an enhanced punishment if committed by the use of a deadly or dangerous weapon or device).

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Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshalfor the purpose of an appearance in connection with a court proceeding.

DATED: July 11, 2005. BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge